

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

Lincoln David Allen
Plaintiff

RECEIVED
2007 MAR 16 A 10 15
DEPT. OF PROBATION
MIDDLE DISTRICT ALA

Re: Civil Complaint

-VS-

Case NO: 2:06-CV-1020-T

Gwendolyn Mosley et. al,
Defendants

MOTION FOR TRIAL BY COURT OR JURY

Pursuant 39 Fed. R. Civ. Proc.

Comes Now, The Plaintiff, Lincoln David Allen Pro/Se Moves
into this Honorable Court Pursuant to Rule 39 Fed. R. Civ. Proc.

The Plaintiff Submit the following:

1. ON March 6, 2007, The Plaintiff filed a Answer to the Feb 27, 2007,
Which Order him to Show Cause Why he has failed to file a Response
in Compliance With the Order entered January 9, 2007, (Court Doc. No. 15)
This Answer had to be filed before March 12, 2007, Which Was
done ON March 6, 2007.

2. This Honorable Court Ordered ON March 6, 2007 that the Plaintiff's ~~Exhibit~~ Exhibit C be Stricken from the Record in this Case and Returned to the Plaintiff.

3. The ~~Def~~ Plaintiff Request for trial by the Court Pursuant 39 Rule of Fed Civ. Proc.

4. The right of trial by jury or Court as declared by the Seventh Amendment to the Constitution or as given by a State of the United States shall be Preserved to the parties Involved.

5. Rule 38(B) Demand, Any Party May demand a trial by jury of any issue triable of right by a jury by (1) Serving Upon the Other parties a demand therefore in Writing at any time after the Commencement of the Action and Not later than (10) days After the Service of the last pleading directed to Such issue.

Wherefore, The Plaintiff Prays that this Honorable Court Will grant this Motion and Set this Matter down for a trial.

Lincoln David Allen

Lincoln David Allen

Pursuant to 28 U.S.C. Section 1746, I Lincoln David Allen do hereby Sign Under the Penalty of perjury that the foregoing is true and correct. Executed On March 14, 2007.

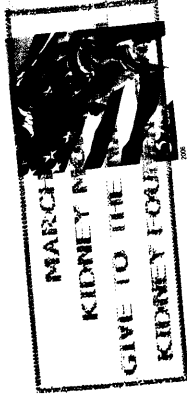
Lincoln David Allen

Certificate of Service

I hereby Certify that a Copy of the foregoing is Served Upon the Defendant's Counsel, by placing it into Easterling Correctional Facility Mail Box On March 14, 2007.

Lincoln David Allen

MR. Lincoln David Allen
#15D171 CI-40A
Easterling Correctional Facility
200 Wallace Drive
CID, AL. 36017



MONTGOMERY AL 361
15 MAR 2007 PM 2 T

OFFICE OF THE CLERK
United STATES DISTRICT COURT
Post Office Box 711
Montgomery, AL. 36101-0711

LEGAL MAIL

36101+0711

